

10/511108 #2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DT04 Rec'd PCT/PTO 08 OCT 2004

In re application of:

Ruediger Ridder, *et al.*

Appl. No. Not Yet Assigned

Filed: October 8, 2004

For: METHOD FOR DISCRIMINATION OF
MATAPLASIAS FROM NEOPLASTIC OR
PRENEOPLASTIC LESIONSAttorney Docket Number:
05033.0006PCUS00**Information Disclosure Statement**

Mail Stop PCT
Attention: DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed;
 - a. Within three months of the U.S. filing date of a national application other than a continued prosecution application under § 1.53(d);
 - b. Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
 - c. Before the mailing date of a first Office Action on the merits;
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No statement under 37 C.F.R. § 1.97(e) or fee is required.

- 2. This Information Disclosure Statement is being filed after the period specified in paragraph 1(a)-1(d) above, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
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 - c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).

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4. Relevance of the non-English language document(s) is discussed in the present specification.

5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.

6. A concise explanation of the relevance of the non-English language document(s) appears below:

7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

10/04 REC'D PCUS 10/08 OCT 2004
10/511108

Attorney Docket No. 05033.0006PCUS00

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 05033.0006.PCUS00.

Respectfully submitted,

Date: October 8, 2004



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October 8, 2004

October 8, 2004

RIDDER, Ruediger

Socket Number 05033 0006 PCI IS00

Sheet 1 of 1 Attorney Docket Number 05033.0006.PCUS00

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		WO 02 08764 A	01-31-2002	DOORBAR, JOHN		
		EP 1 217 377 A	06-26-2002	BAYER AG		
		WO 00 01845 A	01-13-2000	VON KNEBEL D.	whole document	

Examiner Signature		Date Considered	
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of

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Application Number	10/511108
Filing Date	October 8, 2004
First Named Inventor	RIDDER, Ruediger
Art Unit	
Examiner Name	
Attorney Docket Number	05033.0006.PCUS00

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1 ✓	SANO T ET AL: "Expression status of p16...", American Journal of Pathology, Philadelphia, PA, US, vol. 153, no.6, 1998-12, pages 1741-1748	
	2 ✓	RIETHDORF S ET AL: "Analysis of p16/MTS1...", Virchows Archiv, vol. 439, no. 3, 2001-09, page 338	
	3 ✓	MILDE-LANGOSCH Karin et al: "Expression of cyclin-dependent kinase inhibitors...", Virchows Archiv, vol. 439, no.1, 2001-07, pages 55-61	
	4 ✓	KONNO R ET AL: "Detection of human papillomavirus DNA...", Tohoku Journal of Experimental Medicine, Japan, vol. 168, no. 3, 1992-11, pages 491-497	
	5 ✓	CHOO K B ET AL: " Integration of human papillomavirus type 16...", Virology, US, vol. 161, no. 1, 1987-11, pages 259-261. <i>Abstract</i>	
	6 ✓	NINDL I ET AL: "Human papillomavirus distribution in cervical tissues...", Int. Journal of Gynecological Pathology, New York, NY, US, vol. 16, no. 3, 1997, pages 197-204	
	7 ✓	KLAES RUEDIGER ET AL: "Overexpression of p16INK4a as a specific marker...", International Journal of Cancer, vol 92, no. 2, 2001, pages 276-284	
	8 ✓	Wiest Tina et al: "Involvement of intact HPV16 E6/E7 gene expression...", Oncogene, vol. 21, no. 10, 2002-02, pages 1510-1517. <i>Abstract</i>	
	9 ✓	SDEK Patima et al: "Influence of HPV16 on expression of RB...", Chinese Journal of Stomatology, China, vol. 37, no.2, 2002-03, pages 84-86. <i>Abstract</i>	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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